

# August Monthly Status Report

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Defendant Lexington Coal Company, LLC (“Lexington Coal”), by and through counsel provides the following Defendant’s Lexington Coal Company LLC’s August 2023 Monthly Status Report to the Special Master.

## **Selenium – White Flame Outlets 031, 045, 047**

### **Progress made during month – BCR construction and operation.**

Construction of the 4<sup>th</sup> BCR has been finalized. A pump has been located and is being moved to White Flame for the first BCR. A generator has been located and fixed. The generator will be moved to the site ASAP. Once the BCR’s are activated the water will temporarily be pumped to a sediment ditch until the system has flushed. This water will be handled on the job. The water from the BCR’s will not be discharged into the receiving stream until it clears.

In Summary:

- A pump has been located and will be installed to help activate the first BCR at White Flame (Outlet 31).
- Construction is now complete on the 4<sup>th</sup> BCR at White Flame.
- Heritage is adding additional data to the water budget.
- A generator has been located and has been repaired.
- Pipe has been installed for the first two BCR’s

### **Analytical Testing / Results**

Lexington received testing results for Low Gap and White Flame.

### **Ionic Pollution – White Flame Outlets 005, 012, 031, 045, 047; Low Gap Outlets 002, 024**

Field reconnaissance is ongoing to identify a conductivity pilot project location using an existing drainage control structure. Heritage will revise the water budget report to include additional data suggested in the Special Master’s September 4<sup>th</sup>, 2023 Memorandum. Heritage is also working on a seasonal hydrograph. Efforts are being made to identify additional low conductivity water sources.

### **Difficulties or Problems Encountered During Reporting Period**

The additional BCR cell being constructed will require additional piping. The lead time for piping is estimated at fourteen (14) to sixteen (16) weeks. “Due to current supply chain

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disruptions... Material availability and timeliness of shipments cannot be guaranteed". The estimate provided for piping does not include flanges or bolts, both are needed to complete the piping.

The liner ordered will take some time to be delivered. Some money has been released by WVDEP for reclamation, however, additional reclamation money has been requested and Lexington is awaiting this reclamation money. The generator that was located needed repair. This was sent to Electric Machine Fabrication for repair. Lexington has enough piping welded for all four BCR's but still needs the Agri Drain.

### **Actions Taken or to be Taken to Rectify Difficulties or Problems**

Due to the difficulties of getting power on site, Lexington is locating and moving a generator to temporarily get power to the first bioreactor. Lexington had the generator repaired. Also, the liner for the first two bioreactors has been ordered.

### **Look Ahead – Activities Planned for Next Reporting Period**

It is planned that the liner will be added to the first BCR. After the liner is installed, media will be installed. Then the pump and generator will be installed. The first BCR will be activated. A new mass balance and volumetric report will be completed using current data. NPDES modification for White Flame selenium is expected to be completed soon. Mapping will be provided for the Pilot project location and type. Stream remediation plan is expected to be completed. A second seasonal in-stream sampling and benthic survey will be collected to fully assess impairments to habitats and aquatic life. Data will be collected to determine potential impacts to the receiving stream, Pigeon Creek.

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Review By:



KERMIT E. FINCHAM Jr. P.E.P.



Submitted By:

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LANTZ G. RANKIN P.S

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Review By:

KERMIT E. FINCHAM Jr. P.E.P.S.

Submitted By:

Lantz G. Rankin  
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